



**U.S. Department of Justice**

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April 11, 2025

**BY ECF**

Hon. Elizabeth A. Wolford, Chief Judge  
United States District Court  
U.S. Courthouse  
100 State Street  
Rochester, New York 14614

**Re: Borowski v. Customs and Border Protection  
23-CV-257**

Dear Chief Judge Wolford:

I write this letter in anticipation of the status conference scheduled for April 21, 2025, and with the consent of plaintiff, Matthew Borowski.

Mr. Borowski, AUSA Scott Sroka and I conferred today in an effort to narrow the remaining issues to be resolved in this case. We have not completed our discussions, and our ability to do so in the next week will be limited because Mr. Borowski will be traveling. However, we wanted you to be aware of these discussions in advance of the conference.

Further, on March 26, 2025, Customs and Border Protection disapproved Mr. Borowski's April 12, 2023, application for membership in NEXUS on the grounds that he did not meet program eligibility requirements. We would like to discuss the ramifications of this decision on the current litigation.

Respectfully,

MICHAEL DIGIACOMO  
United States Attorney

S/Mary K. Roach

BY: MARY K. ROACH  
Assistant U.S. Attorney

MKR/ck  
cc: Matthew Borowski (via ECF)